

# House File 2525 - Reprinted

HOUSE FILE 2525

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 733)

(As Amended and Passed by the House March 16, 2010)

## A BILL FOR

1 An Act relating to and making appropriations involving state  
2 government, by providing for agriculture, natural resources,  
3 and environmental protection, and including effective date  
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I  
2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
3 GENERAL APPROPRIATIONS

4 Section 1. GENERAL FUND — DEPARTMENT.

5 1. There is appropriated from the general fund of the state  
6 to the department of agriculture and land stewardship for the  
7 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
8 the following amount, or so much thereof as is necessary, to be  
9 used for the purposes designated:

10 For purposes of supporting the department, including its  
11 divisions, for administration, regulation, and programs; for  
12 salaries, support, maintenance, and miscellaneous purposes; and  
13 for not more than the following full-time equivalent positions:  
14 ..... \$ 16,872,308  
15 ..... FTEs 408.00

16 2. The department shall submit a report each quarter of the  
17 fiscal year to the legislative services agency, the department  
18 of management, the members of the joint appropriations  
19 subcommittee on agriculture and natural resources, and the  
20 chairpersons and ranking members of the senate and house  
21 committees on appropriations. The report shall describe in  
22 detail the expenditure of moneys appropriated in this section  
23 to support the department's administration, regulation, and  
24 programs.

25 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

26 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —  
27 HORSE AND DOG RACING. There is appropriated from the moneys  
28 available under section 99D.13 to the department of agriculture  
29 and land stewardship for the fiscal year beginning July 1,  
30 2010, and ending June 30, 2011, the following amount, or so  
31 much thereof as is necessary, to be used for the purposes  
32 designated:

33 For purposes of supporting the department's administration  
34 and enforcement of horse and dog racing law pursuant to section  
35 99D.22, including for salaries, support, maintenance, and

1 miscellaneous purposes:

2 ..... \$ 305,516

3 DESIGNATED APPROPRIATIONS — MOTOR FUEL

4 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR

5 FUEL INSPECTION. There is appropriated from the renewable  
6 fuel infrastructure fund created in section 15G.205 to the  
7 department of agriculture and land stewardship for the fiscal  
8 year beginning July 1, 2010, and ending June 30, 2011, the  
9 following amount, or so much thereof as is necessary, to be  
10 used for the purposes designated:

11 For purposes of the inspection of motor fuel, including  
12 salaries, support, maintenance, and miscellaneous purposes:

13 ..... \$ 300,000

14 The department shall establish and administer programs  
15 for the auditing of motor fuel including biofuel processing  
16 and production plants, for screening and testing motor fuel,  
17 including renewable fuel, and for the inspection of motor fuel  
18 sold by dealers including retail dealers who sell and dispense  
19 motor fuel from motor fuel pumps.

20 DIVISION II

21 DEPARTMENT OF NATURAL RESOURCES

22 GENERAL APPROPRIATIONS

23 Sec. 4. GENERAL FUND — DEPARTMENT. There is appropriated  
24 from the general fund of the state to the department of natural  
25 resources for the fiscal year beginning July 1, 2010, and  
26 ending June 30, 2011, the following amount, or so much thereof  
27 as is necessary, to be used for the purposes designated:

28 1. For purposes of supporting the department, including its  
29 divisions, for administration, regulation, and programs; for  
30 salaries, support, maintenance, and miscellaneous purposes; and  
31 for not more than the following full-time equivalent positions:  
32 ..... \$ 15,600,710  
33 ..... FTEs 1,168.95

34 2. The department shall submit a report each quarter of the  
35 fiscal year to the legislative services agency, the department

1 of management, the members of the joint appropriations  
2 subcommittee on agriculture and natural resources, and the  
3 chairpersons and ranking members of the senate and house  
4 committees on appropriations. The report shall describe in  
5 detail the expenditure of moneys appropriated under this  
6 section to support the department's administration, regulation,  
7 and programs.

8     Sec. 5. REALIZED COST SAVINGS — PRIVATE BUILDINGS. During  
9 the fiscal year beginning July 1, 2010, the department of  
10 natural resources shall realize cost savings to every extent  
11 legally possible by complying with executive order number  
12 20 issued December 16, 2009, and as described in the Iowa  
13 efficiency review report submitted by the public works limited  
14 liability corporation, by providing staff office space for the  
15 department in the Wallace building, and relinquishing any space  
16 in a private building subject to an expired lease.

17     Sec. 6. REALIZED COST SAVINGS — VOLUNTEER AND INTERN  
18 PROGRAMS AT STATE PARKS. During the fiscal year beginning July  
19 1, 2010, the department of natural resources shall realize cost  
20 savings to every extent possible by complying with executive  
21 order number 20 issued December 16, 2009, and as described in  
22 the Iowa efficiency review report submitted by the public works  
23 limited liability corporation, by increasing the number of  
24 volunteer and intern programs at state parks.

25     Sec. 7. STATE FISH AND GAME PROTECTION FUND — DIVISION OF  
26 FISH AND WILDLIFE.

27     1. a. There is appropriated from the state fish and game  
28 protection fund to the department of natural resources for the  
29 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
30 the following amount, or so much thereof as is necessary, to be  
31 used for the purposes designated:

32     For purposes of supporting the division of fish and  
33 wildlife, including for administration, regulation, and  
34 programs; and for salaries, support, maintenance, equipment,  
35 and miscellaneous purposes:

1 ..... \$ 38,793,154

2     b. Notwithstanding section 455A.10, the department may use  
3 the unappropriated balance remaining in the state fish and game  
4 protection fund to provide for the funding of health and life  
5 insurance premium payments from unused sick leave balances of  
6 conservation peace officers employed in a protection occupation  
7 who retire, pursuant to section 97B.49B.

8     2. The department shall not expend more moneys from the  
9 state fish and game protection fund than provided in this  
10 section, unless the expenditure derives from contributions made  
11 by a private entity, or a grant or moneys received from the  
12 federal government, and is approved by the natural resource  
13 commission. The department of natural resources shall promptly  
14 notify the legislative services agency and the chairpersons and  
15 ranking members of the joint appropriations subcommittee on  
16 agriculture and natural resources concerning the commission's  
17 approval.

18     Sec. 8. GROUNDWATER PROTECTION FUND — WATER QUALITY. There  
19 is appropriated from the groundwater protection fund created  
20 in section 455E.11 to the department of natural resources for  
21 the fiscal year beginning July 1, 2010, and ending June 30,  
22 2011, from those moneys which are not allocated pursuant to  
23 that section, the following amount, or so much thereof as is  
24 necessary, to be used for the purposes designated:

25     For purposes of supporting the department's protection  
26 of the state's groundwater, including for administration,  
27 regulation, and programs, and for salaries, support,  
28 maintenance, equipment, and miscellaneous purposes:

29 ..... \$ 3,455,832

30             DESIGNATED APPROPRIATIONS — MISCELLANEOUS

31     Sec. 9. SPECIAL SNOWMOBILE FUND — SNOWMOBILE  
32 PROGRAM. There is appropriated from the special snowmobile  
33 fund created under section 321G.7 to the department of natural  
34 resources for the fiscal year beginning July 1, 2010, and  
35 ending June 30, 2011, the following amount, or so much thereof

1 as is necessary, to be used for the purpose designated:

2 For purposes of administering and enforcing the state  
3 snowmobile program:

4 ..... \$ 100,000

5 Sec. 10. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE  
6 TANK SECTION EXPENSES. There is appropriated from the  
7 unassigned revenue fund administered by the Iowa comprehensive  
8 underground storage tank fund board to the department of  
9 natural resources for the fiscal year beginning July 1, 2010,  
10 and ending June 30, 2011, the following amount, or so much  
11 thereof as is necessary, to be used for the purpose designated:

12 For purposes of paying for administration expenses of the  
13 department's underground storage tank section:

14 ..... \$ 200,000

15 Sec. 11. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR  
16 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
17 state law, for the fiscal year beginning July 1, 2010, and  
18 ending June 30, 2011, the department of natural resources may  
19 use additional moneys available to the department collected  
20 from storm water discharge permit fees as provided in section  
21 455B.103A or 455B.197 for the staffing of the following  
22 additional full-time equivalent positions for the purposes  
23 designated:

24 1. For purposes of reducing the department's floodplain  
25 permit backlog:

26 ..... FTEs 2.00

27 2. For purposes of implementing the federal total maximum  
28 daily load program:

29 ..... FTEs 2.00

30 Sec. 12. INTERIM STUDY OF PUBLIC LAND UNDER THE CONTROL  
31 OF THE DEPARTMENT OF NATURAL RESOURCES WHICH MAY BE USED FOR  
32 PUBLIC HUNTING. The department of natural resources shall  
33 conduct an interim study of public land under its control which  
34 may be used for public hunting. The department shall authorize  
35 public hunting on public land for which the department

1 determines such activity is beneficial. The department shall  
2 report the results of the interim study to the governor and  
3 general assembly by January 10, 2011.

4 Sec. 13. ELIMINATION OF CHIEF AND ASSISTANT CHIEF OF THE LAW  
5 ENFORCEMENT BUREAU OF THE DEPARTMENT OF NATURAL RESOURCES. The  
6 positions of chief and assistant chief of the law enforcement  
7 bureau of the department of natural resources are eliminated.

8 Sec. 14. EFFECTIVE UPON ENACTMENT. The section of this  
9 division of this Act relating to the elimination of the  
10 positions of chief and assistant chief of the law enforcement  
11 bureau of the department of natural resources, being deemed of  
12 immediate importance, takes effect upon enactment.

13 DIVISION III

14 IOWA STATE UNIVERSITY

15 Sec. 15. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

16 1. There is appropriated from the general fund of the state  
17 to Iowa state university of science and technology for the  
18 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
19 the following amount, or so much thereof as is necessary, to be  
20 used for the purposes designated:

21 For purposes of supporting the college of veterinary  
22 medicine for the operation of the veterinary diagnostic  
23 laboratory and for not more than the following full-time  
24 equivalent positions:

25 .....	\$	3,444,294
26 .....	FTEs	50.00

27 2. a. Iowa state university of science and technology  
28 shall not reduce the amount that it allocates to support the  
29 college of veterinary medicine from any other source due to the  
30 appropriation made in this section.

31 b. Paragraph "a" does not apply to a reduction made to  
32 support the college of veterinary medicine, if the same  
33 percentage of reduction imposed on the college of veterinary  
34 medicine is also imposed on all of Iowa state university's  
35 budget units.

1 3. If by the end of the fiscal year, Iowa state university  
2 of science and technology fails to allocate the moneys  
3 appropriated in this section to the college of veterinary  
4 medicine in accordance with this section, the moneys  
5 appropriated in this section for that fiscal year shall revert  
6 to the general fund of the state.

7 Sec. 16. VETERINARY DIAGNOSTIC LABORATORY — FUTURE  
8 YEAR. This section applies if appropriations made in this Act  
9 and all other Acts enacted by the Eighty-third General Assembly  
10 during the 2010 regular session and all extraordinary sessions,  
11 for the fiscal year beginning July 1, 2010, and ending June  
12 30, 2011, for purposes of supporting the operation of the  
13 veterinary diagnostic laboratory associated with the college  
14 of veterinary medicine at Iowa state university, total less  
15 than \$4,000,000. It is the intent of the general assembly  
16 that the amount of any deficit will be appropriated by the  
17 general assembly during its 2011 regular session for purposes  
18 of supporting the operation of the veterinary diagnostic  
19 laboratory for the fiscal year beginning July 1, 2011, and  
20 ending June 30, 2012.

21 DIVISION IV

22 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS

23 Sec. 17. DEPARTMENT OF AGRICULTURE AND LAND  
24 STEWARDSHIP. There is appropriated from the environment first  
25 fund created in section 8.57A to the department of agriculture  
26 and land stewardship for the fiscal year beginning July 1,  
27 2010, and ending June 30, 2011, the following amounts, or so  
28 much thereof as is necessary, to be used for the purposes  
29 designated:

30 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)  
31 a. For the conservation reserve enhancement program to  
32 restore and construct wetlands for the purposes of intercepting  
33 tile line runoff, reducing nutrient loss, improving water  
34 quality, and enhancing agricultural production practices:  
35 ..... \$ 1,500,000



1     b. Not more than 10 percent of the moneys appropriated  
2 in paragraph "a" may be used for costs of administration and  
3 implementation of soil and water conservation practices.

4     2. WATERSHED PROTECTION

5     a. For continuation of a program that provides  
6 multiobjective resource protections for flood control, water  
7 quality, erosion control, and natural resource conservation:  
8 ..... \$ 1,500,000

9     b. Not more than 10 percent of the moneys appropriated  
10 in paragraph "a" may be used for costs of administration and  
11 implementation of soil and water conservation practices.

12     3. FARM MANAGEMENT DEMONSTRATION PROGRAM

13     a. For continuation of a statewide voluntary farm  
14 management demonstration program to demonstrate the  
15 effectiveness and adaptability of emerging practices in  
16 agronomy that protect water resources and provide other  
17 environmental benefits:  
18 ..... \$ 750,000

19     b. Not more than 10 percent of the moneys appropriated  
20 in paragraph "a" may be used for costs of administration and  
21 implementation of soil and water conservation practices.

22     c. Of the amount appropriated in paragraph "a", \$400,000  
23 shall be allocated to an organization representing soybean  
24 growers to provide for an agriculture and environment  
25 performance program in order to carry out the purposes of this  
26 subsection as specified in paragraph "a".

27     4. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

28     a. For deposit in the agricultural drainage well water  
29 quality assistance fund created in section 460.303 to be used  
30 for purposes of supporting the agricultural drainage well water  
31 quality assistance program as provided in section 460.304:  
32 ..... \$ 1,250,000

33     b. Not more than 10 percent of the moneys appropriated  
34 in paragraph "a" may be used for costs of administration and  
35 implementation of soil and water conservation practices.

1     5. SOIL AND WATER CONSERVATION — ADMINISTRATION

2     For use by the department for costs of administration and  
3 implementation of soil and water conservation practices:

4 ..... \$ 1,050,000

5     6. CONSERVATION RESERVE PROGRAM (CRP)

6     a. To encourage and assist farmers in enrolling in and the  
7 implementation of the federal conservation program and to work  
8 with them to enhance their revegetation efforts to improve  
9 water quality and habitat:

10 ..... \$ 1,300,000

11     b. Not more than 10 percent of the moneys appropriated  
12 in paragraph "a" may be used for costs of administration and  
13 implementation of soil and water conservation practices.

14     7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

15     a. For deposit in the loess hills development and  
16 conservation fund created in section 161D.2:

17 ..... \$ 500,000

18     b. (1) Of the amount appropriated in paragraph "a",  
19 \$323,000 shall be allocated to the fund's hungry canyons  
20 account.

21     (2) Not more than 10 percent of the moneys allocated to the  
22 hungry canyons account as provided in subparagraph (1) may be  
23 used for administrative costs.

24     c. (1) Of the amount appropriated in paragraph "a",  
25 \$177,000 shall be allocated to the fund's loess hills alliance  
26 account.

27     (2) Not more than 10 percent of the moneys allocated to the  
28 loess hills alliance account as provided in subparagraph (1)  
29 may be used for administrative costs.

30     8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND

31     a. For deposit in the southern Iowa development and  
32 conservation fund created in section 161D.12:

33 ..... \$ 250,000

34     b. Not more than 10 percent of the moneys appropriated in  
35 paragraph "a" may be used for administrative costs.

1     9. SOIL AND WATER CONSERVATION

2     a. For use by the department in providing for soil and  
3 water conservation administration, the conservation of soil and  
4 water resources, or the support of soil and water conservation  
5 district commissioners:

6 ..... \$ 1,751,600

7     b. The department may deposit any amount of the moneys into  
8 the Mississippi river basin healthy watersheds initiative fund  
9 as created in this Act.

10    Sec. 18. DEPARTMENT OF NATURAL RESOURCES. There is  
11 appropriated from the environment first fund created in section  
12 8.57A to the department of natural resources for the fiscal  
13 year beginning July 1, 2010, and ending June 30, 2011, the  
14 following amounts, or so much thereof as is necessary, to be  
15 used for the purposes designated:

16    1. KEEPERS OF THE LAND

17    For statewide coordination of volunteer efforts under the  
18 water quality and keepers of the land programs:

19 ..... \$ 100,000

20    2. STATE PARKS MAINTENANCE AND OPERATIONS

21    For regular maintenance of state parks and staff time  
22 associated with these activities:

23 ..... \$ 2,470,000

24    3. GEOGRAPHIC INFORMATION SYSTEM (GIS)

25    To provide local watershed managers with geographic  
26 information system data for their use in developing,  
27 monitoring, and displaying results of their watershed work:

28 ..... \$ 195,000

29    4. WATER QUALITY MONITORING

30    For continuing the establishment and operation of water  
31 quality monitoring stations:

32 ..... \$ 2,955,000

33    5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

34    For deposit in the public water supply system account of the  
35 water quality protection fund created in section 455B.183A:

1 ..... \$ 500,000

2 6. REGULATION OF ANIMAL FEEDING OPERATIONS

3 For the regulation of animal feeding operations, including

4 as provided for in chapters 459 and 459A:

5 ..... \$ 608,400

6 7. AMBIENT AIR QUALITY

7 For the abatement, control, and prevention of ambient

8 air pollution in this state, including measures as necessary

9 to assure attainment and maintenance of ambient air quality

10 standards from particulate matter:

11 ..... \$ 425,000

12 8. WATER QUANTITY REGULATION

13 For regulating water quantity from surface and subsurface

14 sources by providing for the allocation and use of water

15 resources, the protection and management of water resources,

16 and the preclusion of conflicts among users of water resources,

17 including as provided in chapter 455B, division III, part 4:

18 ..... \$ 495,000

19 9. RESOURCE CONSERVATION AND DEVELOPMENT (RCD)

20 a. For resource conservation and development associated

21 with the development of projects relating to natural

22 resource-based business opportunities:

23 ..... \$ 150,000

24 b. Local resource conservation and development groups

25 sponsored by county governments or sponsored by soil and water

26 conservation districts shall be eligible to receive moneys

27 appropriated in paragraph "a" on the condition that such groups

28 receive the moneys on a dollar-for-dollar matching basis.

29 c. Not more than 5 percent of the moneys appropriated in

30 paragraph "a" may be used for the costs of implementing and

31 administering this subsection.

32 10. STATE PARKS VOLUNTEER ACTIVITIES

33 For supporting volunteer activities at state parks,

34 including by providing volunteers with food, services, and

35 items required to accomplish tasks associated with state park

1 operations:

2 ..... \$ 250,000

3 Sec. 19. REVERSION. Notwithstanding section 8.33, moneys  
4 appropriated for the fiscal year beginning July 1, 2010,  
5 in this division of this Act that remain unencumbered or  
6 unobligated at the close of the fiscal year shall not revert  
7 but shall remain available for the purposes designated until  
8 the close of the fiscal year beginning July 1, 2011, or until  
9 the project for which the appropriation was made is completed,  
10 whichever is earlier.

11 DIVISION V

12 ENVIRONMENT FIRST FUND — RESOURCES ENHANCEMENT  
13 AND PROTECTION (REAP)

14 Sec. 20. IOWA RESOURCES ENHANCEMENT AND PROTECTION  
15 FUND. Notwithstanding the amount of the standing appropriation  
16 from the general fund of the state to the Iowa resources  
17 enhancement and protection fund as provided in section  
18 455A.18, there is appropriated from the environment first fund  
19 created in section 8.57A to the Iowa resources enhancement  
20 and protection fund, in lieu of the appropriation made in  
21 section 455A.18, for the fiscal year beginning July 1, 2010,  
22 and ending June 30, 2011, the following amount, to be allocated  
23 as provided in section 455A.19:

24 ..... \$ 15,000,000

25 Sec. 21. FUTURE USE OF MONEYS IN THE IOWA RESOURCES  
26 ENHANCEMENT FUND. It is the intent of the general assembly  
27 that on and after July 1, 2011, moneys deposited in the Iowa  
28 resources enhancement and protection fund as provided in  
29 section 455A.18 shall not be used to pay for Honey creek park  
30 bond obligations.

31 DIVISION VI

32 MISSISSIPPI RIVER BASIN HEALTHY  
33 WATERSHEDS INITIATIVE

34 Sec. 22. NEW SECTION. 161G.1 Definitions.

35 1. "Department" means the department of agriculture and land

1 stewardship.

2 2. "*Fund*" means the Mississippi river basin healthy  
3 watersheds initiative fund created pursuant to section 161G.2.

4 Sec. 23. NEW SECTION. 161G.2 Mississippi river basin  
5 healthy watersheds initiative fund.

6 1. A Mississippi river basin healthy watersheds initiative  
7 fund is created within the department.

8 2. The fund is composed of money appropriated by the general  
9 assembly to the fund, and moneys available to and obtained or  
10 accepted by the department from the United States, the state,  
11 or any other source for placement in the fund.

12 3. The fund shall be used by the department to support  
13 the Mississippi river basin healthy watersheds initiative as  
14 provided in section 161G.3.

15 4. The moneys in the fund are not subject to section 8.33  
16 and shall not be transferred, used, obligated, appropriated,  
17 or otherwise encumbered except as provided in this section.  
18 Notwithstanding section 12C.7, subsection 2, interest or  
19 earnings on moneys in the fund shall be credited to the fund.

20 Sec. 24. NEW SECTION. 161G.3 Mississippi river basin  
21 healthy watersheds initiative.

22 1. The department shall implement a voluntary program to  
23 assist in improving the health of the Mississippi river basin,  
24 including water quality and wildlife habitat.

25 2. The department shall implement the program consistent  
26 with requirements of the United States department of  
27 agriculture in its administration of the Mississippi river  
28 basin healthy watersheds initiative.

29 3. To the extent allowed by the United States department of  
30 agriculture, the department of agriculture and land stewardship  
31 may do all of the following:

32 a. Provide for conservation systems that manage and optimize  
33 nitrogen and phosphorous within fields to minimize runoff and  
34 reduce downstream nutrient loading.

35 b. Assist agricultural producers with a system of practices

1 that will control soil erosion, improve soil quality, restore  
2 and enhance wildlife habitat, and manage runoff and drainage  
3 water for improved water quality.

4     *c.* Avoid, control, and trap nutrient runoff and maintain  
5 agricultural productivity.

6     *d.* Partner with landowners to implement a range of  
7 land stewardship practices, including but not limited to  
8 conservation tillage, nutrient management, and other innovative  
9 practices.